IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Appeal From Order No.9 of 2021

31st October, 2025

Assistant General Manger, Uttarakhand Transport Corporation, Pithoragarh . .....Appellant

Versus

Devendra Sigh and another .....Respondents

Presence:-
Ms. Indu Sharma, learned counsel for the appellant.
Mr. M. S. Pal, learned Senior Counsel assisted by Mr. Manoj Bhatt, learned counsel for respondent no.1.
Ms. Lubna Jahan, learned counsel for respondent no.2.

Hon'ble Alok Mahra, J.

Present Appeal from Order has been filed against the impugned Award dated 22.10.2020 passed by learned Motor Accident Claims Tribunal/District Judge, Pithoragarh in Motor Accident Claim Petition No. 28 of 2017, "Devendra Singh Rawat vs. Assistant General Manager, Uttarakhand Transport Corporation and another," whereby the learned Tribunal allowed the claim petition.

2. Brief facts of the case are that respondent no.1, serving as an Assistant Mechanic at the

Uttarakhand Transport Corporation, Pithoragarh, was injured on September 30, 2016, when a co-worker, Ramesh Singh Rawat, driving vehicle No. UK 07/PA/1988 rashly and negligently, hit him while he was inspecting buses at the workshop. He was immediately taken to the District Hospital, Pithoragarh, and has since undergone prolonged treatment costing over Rs.3,00,000/-. The respondent no.1 sought compensation of Rs.10,00,000/- along with Rs.25,000/- under the no-fault liability clause and interest thereon from the appellant.

3. Learned counsel for the appellant submitted that the injured workman was an employee of the Corporation, and the alleged incident occurred within the premises of the workshop when the bus was stationary and not plying on the road. Therefore, the matter fell within the purview of the Workmen's Compensation Act, and the claim before the Motor Accident Claims Tribunal was not maintainable. It was further submitted that the alleged injury occurred due to a technical fault and not due to any rash or negligent act in the course of road usage.

4. The learned Tribunal, after appreciating the evidence on record, held that the accident arose out of

the use of a motor vehicle and that the injured was entitled to compensation under the Motor Vehicles Act. The Tribunal accordingly allowed the claim petition.

5. This Court finds no illegality or perversity in the findings recorded by the Tribunal warranting interference in appeal.

6. Accordingly, the Appeal from Order is dismissed.

(Alok Mahra, J.)
31.10.2025

BS

BALWANT SINGH